IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO : 24324 of 2006**

**DATED: 22.11.2006**

**Between:**

M.Venu Gopal Reddy petitioner

And

The Chairman & Managing Director,
APTRANSCO, Khairtabad, Hyderabad & ors Respondents

**THE HON'BLE SRI JUSTICE N.V.RAMANA**

**WRIT PETITION NO. 24324 OF 2006**

ORAL ORDER:

The present writ petition is filed seeking the following relief;

> ".....declare the action of the respondents in insisting of the attendance registers as arbitrary, illegal, improper and contrary to the Board proceedings, and direct the respondents to consider the petitioner's service certificates for the interviews conducted on 29.10.2002 pursuant to B.P.Ms.No. 36 dated 18..5.1997 and consequently direct the respondents to consider the petitioner for appointment for the post of L.D.C....."

The respondent corporation issued a paper notification dated 28.4.2001 inviting applications for the post of L.D.C., Typists, JLM/Sub Engineers for filling up the left over vacancies in terms of B.P.Ms.No. 36 dated 18.5.1997. The petitioner claims that he is eligible and qualified for the post of Lower Division Clerk in the respondent corporation and submitted his application on 15.5.2001. The respondents after verification of the certificates issued a provisional selection list, wherein petitioner was shown at serial no.29. Accordingly, petitioner appeared for interview and thereafter on 22.3.2003 a final selection list was issued, selecting three candidates out of 47 candidates, wherein the petitioner was not selected. Hence, the present writ petition.

Learned counsels for petitioner submitted that the petitioner was

provisionally selected and in the interview the certificates produced by him were verified by the authorities and found to be genuine. It is further submitted that the certificate issued by the contractor to the petitioner was counter signed by the Assistant Divisional Engineer, S.P.M, APTRANSCO. It is contended that the candidature of the petitioner was rejected on the sole ground that the concerned contractor has not produced the attendance register and the same is illegal.

Admittedly, after the selection process, the results were declared on 22.3.2003 and petitioner who was not selected has kept quiet for all these days and filed the present writ petition on a presumption that his candidature was not considered on the ground that the concerned contractor has not produced the attendance register and that the Vigilance Officer's report is biased. In the absence of any material, based on oral arguments and presumptions, no orders can be passed. More over after declaration of the results, the petitioner has kept quiet for more than three years and has not sought to explain the delay. Hence, the writ petition is liable to be dismissed on the ground of laches.

Accordingly, the writ petition is dismissed. No costs.

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N.V.RAMANA,J

DATE: 22.11.2006
TVK

**THE HON'BLE MR JUSTICE N.V. RAMANA**

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